

Message Text

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ACTION L-03

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC 1914

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E.O. 11652: N/A

TAGS: ETRN, IMCO

SUBJ: TERRITORIAL APPLICATION OF VARIOUS MARITIME CON-
VENTIONS

REF: (A) STATE 119924; (B) LONDON 7364

1. ISSUES REF A DISCUSSED AGAIN WITH IMCO LEGAL CHIEF MENSAH. HE TOLD US THAT FOR IMCO'S RECORD PURPOSES, AUTHORIZATION IS REQUIRED TO EXTEND CONVENTIONS FROM THE SAME AUTHORITY OR EQUIVALENT TO THAT WHICH IS EMPOWERED BY A GOVERNMENT TO ISSUE CREDENTIALS AUTHORIZING SIGNATURE OF A CONVENTION IN THE FIRST PLACE; IN US CASE THIS WOULD BE SECRETARY OF STATE. THEREFORE, MENSAH MAINTAINS THAT NOTE AUTHORIZING IMCO TO ISSUE NOTICE OF EXTENSION OF APPLICATION OF CONVENTIONS MUST INCLUDE STATEMENT THAT ACTION BEING TAKEN ON INSTRUCTIONS OF SECRETARY OF STATE. HE SAID THIS IS NORMAL REQUIREMENT OF DEPOSITARIE OF CONVENTIONS.

2. RE QUESTION OF LIST OF AREAS TO WHICH CONVENTIONS ARE EXTENDED, MENSAH EXPLAINED THAT IMCO MUST SPECIFY AREAS IN PUBLISHING US DECISION TO EXTEND CONVENTIONS APPLICATION. HE NOTED IN CASE OF SOLAS CONVENTION STATES RECEIVING INDICATION THAT CONVENTIONS EXTENDED TO COVER "AREAS FOR WHICH US HAS INTERNATIONAL RESPONSIBILITY.." WILL NATURALLY THEN ASK IMCO WHAT THOSE AREAS ARE SO THAT

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THEY WILL KNOW WHICH AREAS HAVE AUTHORITY TO ISSUE CERTI-

FICATES UNDER SOLAS. MENSAH SAID NOTES EXTENDING COVERAGE OF CONVENTIONS NEED NOT THEMSELVES INCLUDE A LIST OF AREAS INCLUDED, BUT IMCO SHOULD, AT LEAST, BE PROVIDED WITH SUCH A LIST BY LETTER SO THAT IT MAY INCLUDE THE LIST IN ITS ANNOUNCEMENT OF THE EXTENSION TO OTHER PARTIES.

3. IN SUM, MENSAH ASKED US TO:

(A) SEND NEW NOTES CITING INSTRUCTION OF SECRETARY OF STATE AS NOTED REF B; AND

(B) PROVIDE A LIST OF THOSE AREAS WHICH ARE UNDERSTOOD TO BE INCLUDED IN PHRASE "...AREAS FOR WHICH US HAS INTERNATIONAL RESPONSIBILITY..."; THIS COULD BE DONE SEPARATELY FROM NOTE IF WE PREFER TO DO IT THAT WAY.

4. COMMENT: IT APPEARS TO EMBASSY THAT MENSAH'S SUGGESTION TO PROVIDE LETTER SEPARATE FROM NOTES LISTING SPECIFIC AREAS (PARA 3B ABOVE) IS USEFUL IN VIEW OF CERTIFICATE PROBLEMS OF SOLAS CONVENTION AND WE SUGGEST DEPARTMENT PROVIDE LIST WE MAY FORWARD TO IMCO.

5. CONCERNING QUESTION OF FORM OF NOTE (PARA 1 ABOVE), WE SUGGEST IT MIGHT BE USEFUL TO TAKE ADVANTAGE OF PRESENCE OF DEPARTMENT LAWYER FRANK WILLIS (L/EB) IN LONDON WEEK OF JUNE 16 FOR IMCO MEETING TO DISCUSS THIS FURTHER WITH MENSAH. IF THIS SUGGESTION ACCEPTABLE TO DEPARTMENT, IT MAY WISH TO BRIEF MR. WILLIS ON ISSUE BEFORE HIS DEPARTURE.

6. DEPARTMENT'S INSTRUCTIONS REQUESTED.

RICHARDSON

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